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providing a background image;
providing a customized image; and
producing a customized video tape responsive to [superposition] integration of the
customized image [over] with the background image to provide a stored video tape presentation.

REMARKS

Claims 1-37 are currently pending.

By this Amendment, claims 1, 16, 32, and 34 are amended.

Applicant hereby respectfully submits a timely filed terminal disclaimer pursuant to MPEP 804.02, whereby the term of the a patent issuing from subject application does not extend beyond the earlier of the terms of jointly owned U.S. Patent No. 5,830,065 and jointly owned U.S. Patent No. 5,553,864.

Claim 1 of the present invention includes a "means for selecting a predetermined position in the background image", and "processor apparatus, for providing a composited video output wherein the user image appears at the predetermined position responsive to the user image signal, the means for selecting, and the first video signal". *Sitrick* 4,524,014 ('014) does not teach, suggest, or infer of a means for selecting a predetermined position in the background image, or of a for providing a composited video output wherein the user image appears at the predetermined position responsive to the user image signal, the means for selecting, and the first video signal. It is respectfully submitted that claim 1 is patentably distinguishable over *Sitrick* '014 and all other art of record.

Claims 2, 5, 8, and 10-12 are dependent upon claim 1.

Claim 16 includes "apparatus for integrating the user signals with the display signals and responsive to the positional and temporal characteristics for a selected one of the predefined characters to provide a modified display presentation comprising the user image display

presentation having the positional and temporal characteristics associated with the respective selected one of the predefined characters..” *Sitrick* ‘014 does not teach, suggest, or infer an apparatus for producing a display presentation having positional and temporal characteristics associated with the respective positional and temporal characteristics of a selected one of the characters. Claim 16, both prior to and after amendment, is patentably distinguishable over *Sitrick* ‘014.

Claims 17-20 are dependent on claim 16.

Claim 21 of the present invention includes “representing a video presentation as video presentation signals comprised of tracking signals and associated video signals”. *Sitrick* ‘014 does not suggest, teach, or infer video presentation signals comprised of tracking signals.

Claim 21 further includes “integrating the video signals and the user image signals responsive to the tracking signals, to integrate the respective user presentation for the user image signal with the respective video presentation for the associated video signal to provide an integrated video presentation output.” *Sitrick* ‘014 does not suggest, teach, or infer either tracking signals or a means to integrate the video signals responsive to the tracking signals. Claim 21 is patentably distinguishable over *Sitrick* ‘014, and all other art of record.

Claims 22 and 23 are dependent from claim 21.

Claim 13 calls for “a source of integration signals defining linkage mapping for integration of the external image signals with the presentation signals”. It is respectfully submitted that claim 13 is patentably distinguishable over all prior art of record.

Claims 14, 15, and 39 depend from claim 13.

Claim 24 includes “providing ancillary data representative of a display presentation of ancillary attributes”. *Sitrick* ‘014 does not teach, suggest or infer providing ancillary data representative of a display presentation of ancillary attributes. Claim 24 also includes “integrating

the respective image data and the respective ancillary data responsive to the selected image integration option to modify the display presentation of the at least portion of the person with the ancillary attributes”. *Sitrick* ‘014 does not teach, suggest, or infer selective image integration to modify the display presentation of the portion of a person with the ancillary attributes. *Sitrick* ‘014 does not teach, suggest or infer providing ancillary data, nor does *Sitrick* ‘014 teach, suggest, or infer modifying the display presentation responsive to the ancillary data. Claim 24 is patentably distinguishable over *Sitrick* ‘014, and all other art of record.

Claim 25 is dependent from claim 24.

Claim 29 includes “wherein user image signals are stored in a defined indexed structure to provide mapping for selection of a respective one of the poses according to the defined indexed structure”. *Sitrick* ‘014 does not teach, suggest, or infer “mapping for selection of a respective one of the poses according to the defined index structure”. Claim 29 of the present invention is patentably distinguishable over *Sitrick* ‘014, and all other art of record.

Claim 30 is dependent from claim 29.

Sato teaches of transferring a character’s ability between a home game and an enhanced arcade version of a game. Claim 32, both as originally filed and as amended, are patentably distinguishable over *Sato*. Claim 32 is directed to “providing video game play parameters representative of a current state of active game play”. Video game play parameters representative of the current state of active game play is distinct and non-analogous to a particular character in the game’s skill level as in *Sato*. *Sato*’s transfer of a character’s ability requires the user to engage in a new and independent and different game play environment (enhanced arcade version) from that game (the home game version) from which the character’s ability was previously saved. Claim 32 permits a continuous seamless transition between video entertainment systems by transferring an entire current state of active game play so as to provide for the user on the second game to be placed

in the same game play environment from which the current state of active game play parameters was saved from the first game. Claim 32 is patentably distinguishable over *Sato* and all other prior art. Claim 33 is dependent from claim 32.

It is respectfully submitted that *Sitrick* '014 teaches of an integrated user image into a video game. *Sitrick* '014 does not teach of a background selection, or selective positioning, or of a plurality of backgrounds. Claim 7 of the present invention includes "The system as in claim 1, wherein there are a plurality of background images". Claim 7 also includes "control logic for selecting at least one of the plurality of the background images for integration". There is no teaching, suggestion, or inference of the presently claimed control logic by *Sitrick* '014. Claim 7 depends from claim 1. Claim 9 is dependent from claim 7.

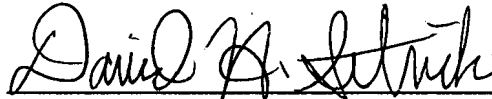
It is respectfully submitted that the storage described in *Sitrick* '014 is directed to storing user image and video game characters in a video game. There is no teaching, suggestion, or inference in *Sitrick* '014 for storing or creating a video tape recording of any type, let alone of a user image integration with a background image. Claim 34, both as originally filed and as amended, is directed to producing a customized video tape responsive to the integration of the customized image with the background image. The customized video tape of claim 34 stores the integration combination of the user image and the background image. *Sitrick* '014 stores the user image in memory. However, *Sitrick* '014 does not teach, suggest, or infer storage of the final composite image in any sort of memory. There is no suggestion or motivation in *Sitrick* '014 to use videotape to store anything, let alone the integrated combination with the user image, nor to produce a customized video tape responsive to the integration. It is respectfully submitted that claim 34 is patentably distinguishable over *Sitrick* '014, and all other art of record.

Claims 35 and 37 are dependent from claim 34. Further, claim 36 is dependent from claim 35.

Early and favorable reconsideration of the amended application is respectfully requested.

Should the Examiner have any questions regarding the application, Applicant requests that he be notified by telephone at the location below.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "David H. Sitrick", written over a horizontal line.

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